IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 26991 of 2007(L)

PETITIONER:

A.K.BALAKRISHNAN, PROPRIETOR, BRIGHT BODY BUILDERS, OPP.JANATHA HOSPITAL, KERALADEESWARAPURAM, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:
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1. INDIAN OVERSEAS BANK, PALAKKAD BRANCH, REPRESENTED BY ITS AUTHORISED OFFICER AND CHIEF MANAGER, K.CHANDRAN, S/O.VELAYUDHAN NAIR, RESIDING AT OLAVAKKODE, PALAKKAD.

2. M/S.AMRITHA MARKETING AND SALES ASSOCIATES, A PARTNERSHIP FIRM REPRESENTED BY ITS PARTNERS: SMT.JAYA ASHOK KUMAR, W/O.ASHOK KUMAR, RESIDING AT 'KRISHNA NIVAS', WATER TANK ROAD, MALAPPURAM POST, MALAPPURAM.

3. SMT.ABHITHA MAJEED, W/O.MAJEED, RESIDING AT PANCHOLA HOUSE, UP-HILL, MALAPPURAM POST, MALAPPURAM.

4. MR.ASHOK KUMAR, S/O.GOVINDANKUTTY MENON, RESIDING AT KRISHNA NIVAS, WATER TANK ROAD, MALAPPURAM POST, MALAPPURAM.

BY ADV. SRI.P.B.SURESH KUMAR, SC,I.O.BANK
SRI.VINOD KUMAR.C FOR R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.26991/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DT.15.6.06.

EXT.P2: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC NO.25062/07 DT.18.8.07.

EXT.P3: TRUE COPY OF THE ORDER OF THE CHIEF JUDICIAL MAGISTRATE, MANJERI IN CRL.M.P.773/07 DT.28.6.07.

//TRUE COPY//

ANTONY DOMINIC, J.
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W.P.(C) NO. 26991 OF 2007 L
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Dated this the 26th day of October, 2007

J U D G M E N T

The petitioner who was a tenant in a mortgaged premises filed this writ petition challenging the order of the Chief Judicial Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, requiring him to vacate from the premises.

2. Today, the standing counsel for the Bank on instructions submit that the petitioner has voluntarily vacated from the premises. In view of this, nothing survives in this writ petition.

Writ petition is closed.

ANTONY DOMINIC, JUDGE.

Rp